

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Matthew Stephen McCormack,
#178817,

Plaintiff,

vs.

South Carolina Dept. Of Corrections,
Benjamin McKie, Warden, Kirkland
Correctional Inst.; FNU Riley, Assoc.
Warden; and FNU Stevenson,
Assoc. Warden,

Defendants.

Civil Action No. 6:05-1552-HFF-WMC

REPORT OF MAGISTRATE JUDGE

The plaintiff, a state prisoner proceeding *pro se*, seeks relief pursuant to Title 42, United States Code, Section 1983. This matter is before the court on motion of the plaintiff for voluntary dismissal.

Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., this magistrate judge is authorized to review all pretrial matters in cases filed under Title 42, United States Code, Section 1983, and submit findings and recommendations to the District Court.

The plaintiff filed his motion for voluntary dismissal on August 31, 2005. The defendants have filed no opposition to the motion.

Wherefore, it is recommended that the plaintiff's motion be granted and this action be dismissed without prejudice.

s/William M. Catoe
United States Magistrate Judge

September 19, 2005

Greenville, South Carolina